

VOL 126 PAGE 838

SENTENCE

NO. CR- 59,896-C

THE STATE OF TEXAS

VS

ALFREDO HINOJOSA

COUNTY COURT AT LAW # THREE

HIDALGO COUNTY, TEXAS

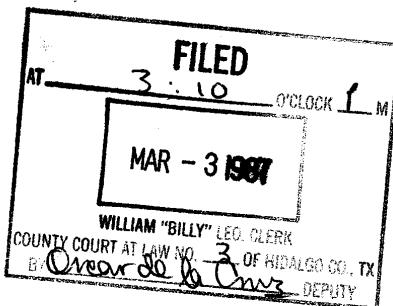
JANUARY, TERM, A.D. 1987

DATE OF SENTENCE 03/03/87

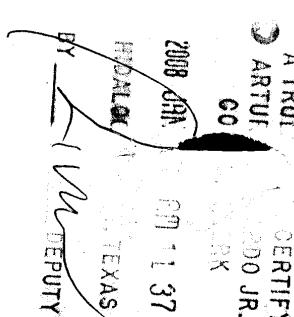
On this day this cause being again called, the State appearing as before, and the Defendant being PRESENT, for the purpose of the pronouncement of sentence in accordance with the judgment herein rendered and entered against Defendant at this term: and the Defendant not presenting to the Court anything in bar of the pronouncement thereof, the Court proceeded as follows: It is the Order of the Court that the Defendant ALFREDO HINOJOSA, who has been adjudged to be guilty of the Misdemeanor offense of CRIMINAL MISCHIEF OVER \$20 AND UNDER \$200 and whose punishment has been adjudged at a fine of \$0.00 Dollars, and confinement in the County Jail for FIFTEEN (15) days, be remanded to the custody of the Sheriff of Hidalgo County, Texas, who shall keep and confine him in the County Jail for a term of FIFTEEN (15) days from date hereof and until said fine and all costs of this prosecution are fully paid, or otherwise satisfied by such jail confinement at the rate of \$15.00 for each such day or fraction thereof served by him; and an execution for such fine and costs shall issue and be served and returned as in civil actions. A certified copy of the judgment and of this sentence shall be sufficient to authorize such imprisonment by the Sheriff, and, if needed, a capias shall issue forthwith for Defendant's arrest.

Whereupon Defendant accepted sentence, waived appeal and the Court sentenced Defendant to be fined in the amount of \$0.00 and a confinement in the County Jail for a term of FIFTEEN (15) days and Defendant is given credit for time spent in Jail to apply on entire sentence.

This sentence to be served on consecutive week-ends (each such week-end to begin at _____.m. on _____ and end at _____.m. on the following _____) beginning on _____.



JUDGE PRESIDING, RICHARD H. GARCIA



VOL 126 PAGE 839

JUDGMENT

NO. CR-59,896-C

THE STATE OF TEXAS

COUNTY COURT AT LAW # THREE

VS

HIDALGO COUNTY, TEXAS

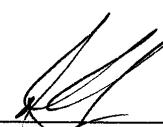
ALFREDO HINOJOSA

JANUARY, TERM A.D. 1987

On this the 3RD day of MARCH, A.D. 1987, this cause was called for trial and the state appeared by her Criminal District Attorney, and the defendant, ALFREDO HINOJOSA, appeared in person and with his attorney, E.A. VILLARREAL, and both parties announced ready for trial, and said defendant in open Court, in person, pleaded guilty to the charge in the Complaint and Information. Thereupon, said Defendant was admonished by the Court of the consequences of said plea, and said Defendant persisted in pleading guilty, and it plainly appearing to the court that said Defendant is same and that he/she is uninfluenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon, prompting him to confess his guilty, the plea of guilty is by the Court received and here now entered of record upon the Minutes of the Court. Thereupon, Defendant requested the consent and approval of the Court to waive the right of a trial by a jury, and the Court announced its consent and approval for said Defendant to waive the right of a trial by a jury.

Thereupon, Defendant proceeded to trial before the Court, who having heard and considered the pleadings and evidence offered, is of the opinion therefrom that the Defendant is guilty of the offense of CRIMINAL MISCHIEF OVER \$20 AND UNDER \$200 which was committed on AUGUST 11, 1986 as charged in the Complaint and Information herein and as confessed by him in said plea of guilty, and that he be punished by FIFTEEN (15) days confinement in the Hidalgo County Jail and a fine of \$0-.00 and that the State of Texas do have and recover of and from said Defendant, all costs in this prosecution expended.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that the State of Texas do have and recover of and from said Defendant the said fine of \$0-.00 and all costs in this prosecution expended, and execution may issue against the property of said Defendant for the amount of such fine and costs, and said Defendant being now present in court, by and he is hereby committed to the custody of the Sheriff of Hidalgo County, Texas, who shall forthwith confine him in the Hidalgo County Jail for a term of FIFTEEN (15) days from this date, and until said fine and costs are fully paid. Defendant is given credit for TIME spent in jail to apply on entire sentence.



PRESIDING JUDGE, RICHARD H. GARCIA
COUNTY COURT AT LAW NO. THREE
HIDALGO, COUNTY, TEXAS

ENDORSEMENTS: NO. CR-59,896 COUNTY COURT AT LAW NO. 3 HIDALGO
COUNTY, TEXAS

STATE OF TEXAS VS. Hinojosa FINAL JUDGMENT.
FILED 3-3-87 WILLIAM (BILLY) LEO
County CLERK, COUNTY COURT AT LAW NO. 3
BY Oscar de la Cruz DEPUTY. HIDALGO COUNTY, TEXAS

FILED
AT <u>3:10</u> O'CLOCK P.M.
MAR - 3 1987
WILLIAM "BILLY" LEO CLERK COUNTY COURT AT LAW NO. <u>3</u> OF HIDALGO CO., TX BY <u>Oscar de la Cruz</u>

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JUDGMENT

NO. CR-61,285-C

THE STATE OF TEXAS

VS

ALFREDO HINOJOSA

COUNTY COURT AT LAW # THREE

WILLIAM "BILLY" LEO, CLERK

HIDALGO COUNTY COURT AT LAW NO. 3 OF HIDALGO CO., TX

BY *Sonia Chacon* DEPUTY

JANUARY TERM A.D. 1987

FILED

11:25

O'CLOCK AM

JAN 12 1987

On this the 13TH day of JANUARY, A.D. 1987, this cause was called for trial and the state appeared by her Criminal District Attorney, and the defendant, ALFREDO HINOJOSA, appeared in person and with his attorney, WAIVE, and both parties announced ready for trial, and said defendant in open Court, in person, pleaded guilty to the charge in the Complaint and Information. Thereupon, said Defendant was admonished by the Court of the consequences of said plea, and said Defendant persisted in pleading guilty, and it plainly appearing to the court that said Defendant is same and that he/she is uninfluenced in making said plea by any consideration of fear, or by any persuasion or delusive hope of pardon, prompting him to confess his guilty, the plea of guilty is by the Court received and here now entered of record upon the Minutes of the Court. Thereupon, Defendant requested the consent and approval of the Court to waive the right of a trial by a jury, and the Court announced its consent and approval for said Defendant to waive the right of a trial by a jury.

Thereupon, Defendant proceeded to trial before the Court, who having heard and considered the pleadings and evidence offered, is of the opinion therefrom that the Defendant is guilty of the offense of DRIVING A MOTOR VEHICLE WHILE INTOXICATED IN A PUBLIC PLACE which was committed on NOVEMBER 9, 1986 as charged in the Complaint and Information herein and as confessed by him in said plea of guilty, and that he be punished by THIRTY (30) days confinement in the Hidalgo County Jail and a fine of \$300.00 and that the State of Texas do have and recover of and from said Defendant, all costs in this prosecution expended.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that the State of Texas do have and recover of and from said Defendant the said fine of \$300.00 and all costs in this prosecution expended, and execution may issue against the property of said Defendant for the amount of such fine and costs, and said Defendant being now present in court, by and he is hereby committed to the custody of the Sheriff of Hidalgo County, Texas, who shall forthwith confine him in the Hidalgo County Jail for a Jail for a term of THIRTY (30) days from this date, and until said fine and costs are fully paid. Defendant is given credit for TIME spent in jail to apply on entire sentence.

IT IS FURTHER ORDERED that the Texas Driver's License to operate a motor vehicle in the State is hereby suspended for 90 DAYS; commencing JANUARY 13, 1987 and ending APRIL 13, 1987.

(CREDIT FOR 65 DAYS)



PRESIDING JUDGE, RICHARD H. GARCIA
COUNTY COURT AT LAW NO. THREE
HIDALGO, COUNTY, TEXAS

ENDORSEMENTS: NO. CR-61,285-C COUNTY COURT AT LAW NO. 3 HIDALGO COUNTY, TEXAS

STATE OF TEXAS VS. Alfredo Hinojosa FINAL JUDGMENT.
 FILED January 13 1987
 CLERK COUNTY COURT AT LAW NO. 3 HIDALGO COUNTY, TEXAS
 BY Sonia Chacon DEPUTY.

SENTENCE

NO. CR-61,285-C

THE STATE OF TEXAS

COUNTY COURT AT LAW # THREE

VS

HIDALGO COUNTY, TEXAS

ALFREDO HINOJOSA

JANUARY TERM, A.D. 1987

DATE OF SENTENCE 1/13/8

DATE OF SENTENCE 1/13/87

DATE OF SENTENCE 1/13/87

On this day this cause being again called, the State appearing as before, and the Defendant being PRESENT, for the purpose of the pronouncement of sentence in accordance with the judgment herein rendered and entered against Defendant at this term: and the Defendant not presenting to the Court anything in bar of the pronouncement thereof, the Court proceeded as follows: It is the Order of the Court that the Defendant ALFREDO HINOJOSA, who has been adjudged to be guilty of the Misdemeanor offense of DRIVING A MOTOR VEHICLE WHILE INTOXICATED IN A PUBLIC PLACE and whose punishment has been adjudged at a fine of 300.00 Dollars, and confinement in the County Jail for THIRTY (30) days be remanded to the custody of the Sheriff of Hidalgo County, Texas, who shall keep and confine him in the County Jail for a term of THIRTY (30) days from date hereof and until said fine and all costs of this prosecution are fully paid, or otherwise satisfied by such jail confinement at the rate of \$15.00 for each such day or fraction thereof served by him; and an execution for such fine and costs shall issue and be served and returned as in civil actions. A certified copy of the judgment and of this sentence shall be sufficient to authorize such imprisonment by the Sheriff, and, if needed, a writ of habeas corpus shall issue forthwith for Defendant's arrest.

Whereupon Defendant accepted sentence, waived appeal and the Court sentenced Defendant to be fined in the amount of \$300.00 and a confinement in the County Jail for a term of THIRTY (30) days and Defendant is given credit for time spent in Jail to apply on entire sentence.

This sentence to be served on consecutive week-ends (each such week-end to begin at _____.m. on _____ and end at _____.m. on the following _____) beginning on _____.

IT IS FURTHER ORDERED that the Texas Driver's License to operate a motor vehicle in the State is hereby suspended for 90 DAYS; commencing JANUARY 13, 1987 and ending APRIL 13, 1987.

(CREDIT FOR 65 DAYS)

~~JUDGE PRESIDING. RICHARD H. GARCIA~~

NO. F-9652623-MI

PROBATION

THE STATE OF TEXAS

S.

JOSE ESCAMILLA

IN THE CRIMINAL DISTRICT

COURT 2

OF

DALLAS COUNTY, TEXAS

JUDGMENT ON NEGOTIATED PLEA OF GUILTY
OR NOLLO CONTENDERE BEFORE COURT
WAIVER OF JURY TRIAL - COMMUNITY SUPERVISION
REFERRAL TO MAGISTRATE

JULY TERM, A.D., 1997

MAGISTRATE: JERRY A. STEWART

JUDGE PRESIDING: EDWIN V. KING

DATE OF JUDGMENT: 09/03/97

ATTORNEY
FOR STATE: BRETT MARTIN

ATTORNEY
FOR DEFENDANT: ROBERT SARABIA

OFFENSE
CONVICTED OF: THEFT OF PROPERTY OF THE VALUE OF \$1,500 OR MORE BUT
LESS THAN \$20,000

DEGREE: STATE JAIL

DATE OFFENSE COMMITTED: 11/17/96

CHARGING
INSTRUMENT: INDICTMENT

PLEA: GUILTY

TERMS OF NEGOTIATED
PLEA BARGAIN
(IN DETAIL): 2 YRS TDCJ PROBATED 2 YRS FINE \$400.00
NEGOTIATED AGREEMENT
FOLLOWED: YES

PLEA TO ENHANCEMENT
PARAGRAPH(S): N/A

FINDINGS ON
ENHANCEMENT: N/A

FINDINGS ON
DEADLY WEAPON, NO FINDING
BIAS OR PREJUDICE,
AND/OR
FAMILY VIOLENCE:

DATE SENTENCE
IMPOSED: 09/03/97

COSTS: YES

PUNISHMENT AND
PLACE OF: 2 YEARS.
CONFINEMENT: CONFINEMENT IN THE STATE JAIL DIVISION
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE
AND A FINE OF \$400.00

PERIOD OF SUPERVISION: 2 YEARS DATE TO COMMENCE: 09/03/97

FINE PROBATED: NO RESTITUTION/REPARATION: NO

CONCURRENT UNLESS OTHERWISE SPECIFIED.

DO

VOL. 426 PAGE 127

CAUSE NO.

98-52623J

THE STATE OF TEXAS

vs.

Jose EscamillaCRIMINAL DISTRICT COURT NO. 2
DALLAS COUNTY, TEXAS
JANUARY TERM 2002

ORDER GRANTING DISCHARGE FROM COMMUNITY SUPERVISION

This day came to be heard the matter of determining whether conviction and placing the defendant on community supervision heretofore entered in this cause should be set aside and defendant discharged from community supervision, and the Court after hearing evidence submitted and it appearing from said evidence that the defendant was charged by information or indictment in this cause for the felony offense of

Theft of Property of the value of \$1,500 or more,
but less than \$20,000, a State Felony offense as
Charged in the Indictment
 and on the 3rd day of September 1997 was convicted, therefore the imposition of sentence was suspended and the defendant placed on community supervision for a period of 2 years;

It further appearing to the satisfaction of the Court that all conditions of community supervision have been satisfactorily fulfilled and that the period of community supervision has expired;

IT IS THEREFORE ORDERED that the period of supervision is terminated, the verdict (is/is not) set aside, the indictment or information (is/is not) dismissed, the defendant is discharged from community supervision and the defendant (is/is not) hereby released from all penalties and disabilities resulting from the offense or crime of which the defendant has been convicted.

SIGNED this 17th day of January, 2002

JUDGE

CRIMINAL DISTRICT COURT NO. 2

DALLAS COUNTY, TEXAS

(ML#C-)

No.

Bond \$ 5,000.00 ✓

The State of Texas vs. ALFREDO HINOJOSA alias _____ Complainant # 65-1424

vs. FREDDY RIVERA _____ Court _____

Charge(s): AGGRAVATED ASSAULT WITH A DEADLY WEAPON _____ Date: 03/07/83

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS

THE GRAND JURY for the County of Hudico, State of Texas, duly selected, empaneled, sworn, charged and organized as such at time _____ May _____ Term A.D. 1983, on the 13th 2nd

Judicial District, County of Hudico, County, upon their oaths present in and towards count at said term that

ALFREDO HINOJOSA alias FREDDY RIVERA

hereinafter styled Defendant, on or about the 11th 20th day of February A.D. 1983,

and before the presentation of the indictment in the County and State aforesaid, did then and there

use a deadly weapon, to-wit: a pipe, that in the manner of its use and intended use
was capable of causing death and serious bodily injury, and did then and there
knowingly and intentionally cause bodily injury to Jose Luis Rodriguez by striking
him with said pipe.

FILED

CLERK MCGOWAN

MARCH 14 1983

CLERK'S OFFICE

against the peace and dignity of the State.

Foreman of the Grand Jury

(Original—Printed States Copy—Blue—Defendant's Copy—Yellow)

Plea of guilty or Nolo Contendere Before the Court-Probation

MINUTES OF THE 139th DISTRICT COURT OF HIDALGO COUNTY, TEXAS

AT THE JULY TERM, 1983 Page _____

Volume _____

JUDGMENT

NO. CR-543-83-C

THE STATE OF TEXAS

v.

ALFREDO HINOJOSA
ALIAS FREDDY RIVERA

Dated AUGUST 29, 1983

The defendant having been indicted in the above entitled and numbered cause for the felony offense of AGGRAVATED ASSAULT WITH A DEADLY WEAPON

and this cause being this day called for trial, the State appeared by her Criminal District Attorney and the Defendant, ALFREDO HINOJOSA ALIAS FREDDY RIVERA appeared in person by Counsel, TONY GARCIA

and both parties announced ready for trial. The Defendant, in person and in writing, in open court, having waived his right of trial by jury (such waiver being with the consent and approval of the Court and now entered of record on the minutes of the Court, and such waiver being with the consent and approval of the District Attorney in writing and filed in the papers of this cause), was arraigned and in open Court, pleaded GUILTY to the lesser charge contained in the indictment. Thereupon the Defendant was admonished by the Court of the consequences of said plea, including the range of punishment for the offense and that no punishment recommendation by the prosecuting attorney is binding on the Court. The Court inquired into the existance of plea bargaining agreements and then informed the defendant whether it would reject or accept the plea bargaining agreement. The Defendant persisted in entering the said plea and it appearing to the Court that the defendant is mentally competent and that the plea is free and voluntary, accepted the said plea which is here entered of record upon the minutes. The Defendant, having in open court, in writing, waived the appearance, confrontation, and cross-examination of witnesses, consented to the stipulation of evidence and to the introduction of testimony by affidavits, written statements of witnesses, and any other documentary evidence; and such waiver and consent having been approved by the Court in writing and filed in the papers of the cause, the said plea of the Defendant was received and entered of record upon the minutes. The Court, having heard the indictment read, the Defendant's plea thereto, the evidence submitted, and the argument of Counsel thereon, found the Defendant guilty of the lesser offense of AGGRAVATED ASSAULT WITH A DEADLY WEAPON

which offense was committed by the defendant on the 26th day of February, 1983, said offense being a felony, and assessed the punishment at confinement in the Texas Department of Corrections for five years and a \$ 500.00 fine.

It is therefore considered, ordered, and adjudged by the Court that the Defendant is guilty of the offense of AGGRAVATED ASSAULT WITH A DEADLY WEAPON

said offense being a felony, and that he be punished by confinement in the Texas Department of Corrections for FIVE years and a \$ 500.00 fine, and that the State of Texas do have and recover of the Defendant all costs of the prosecution, for which execution will issue.

However, the Court after due consideration is of the opinion, and so finds, that the defendant is eligible for probation under the provisions of Article 42.12, Vernon's Texas Code of Criminal Procedure, and is further of the opinion, and so finds, that the ends of justice and the best interests of both the public and the defendant will be subserved if the imposition of the sentence in this cause be suspended and the defendant be placed on probation under the supervision of the Court.

C11/908

DA-86

OFFENSE REPORT

MERCEDES POLICE DEPARTMENT

ARRESTING AGENCY

DEFENDANT Alfredo Rivera HinojosaD.O.B. 09 / 21 / 61 SEX M DATE OF OFFENSE 11 / 09 / 86OFFENSE MURDERARREST DATE 11 / 09 / 86 BOND \$ 100,000 .00 AGENCY CASE NO. A#86-11-567 O#86-11-038LOCATION OF OFFENSE 217 N. Illinois St. Mercedes, TexasVICTIM Jose David Belloso PHONE NO. () INTOXILYZER % VIDEO TAKEN YES NO FILM NO. DEFENDANT ADDRESS 1245 S. GeorgiaCITY Mercedes STATE Texas ZIP CODE 78570S.S. # 459 - 06 - 5365 U.S. CITIZEN YES X NO D.L. #

OTHER OFFENSE(S) INCLUDING TRAFFIC VIOLATIONS STEMMING FROM THIS INCIDENT

Driving While Intoxicated CASE NO. 86-11-565CASE NO. CASE NO. 861907 *****COMPLAINT NO. 69-1241 DATE/PLACE FILED 11-09-86/Mercedes, TXPHOTOGRAPHS yes.EVIDENCE RECOVERED 1 silver butterfly knife, blue t-shirt, gray t-shirt, blood samples.DISPOSITION OF EVIDENCE McAllen D.P.S. Lab

CO-DEFENDANTS (INCLUDING JUVENILES) ARRESTED: (HOME & BUSINESS PHONE NO.)

RECEIVEDNAME & ADDRESS DATE ARRESTED / / *DAWIV 25 1986* / / / / / /

NAMES & ADDRESSES OF STATE'S WITNESSES (HOME & BUSINESS PHONE)

Irma Castillo 321 N. Missouri St. Mercedes, TX () n/aAmado Trevino 733 S. Ohio St. Mercedes, TX (512) 565-5606Robert Yriarte 123 Taylor Dr. Mercedes, TX () n/aDr. Santos McAllen Regional Hospital () n/aJustice of the Peace A. Gutierrez 202 Southern St. Edcouch, TX 512) 262-2044Det. Luis Chacon c/o Mercedes Police Dept. (512) 565-3102Det. Alejandro Moreno " "CASE OFFICER Officer R. Valdez \INVESTIGATION OFFICER(S) Inspector N. Vargas Jr.

SUMMARY OF CASE ON REVERSE SIDE

On Sunday, November 9, 1986 at about 12:15 AM, the suspect, Alfredo Hinojosa, stabbed the victim, Jose David Bellosio, on the left side of the chest with a knife at Jovita's Place located at 217 N. Illinois St. in Mercedes, Texas, Hidalgo County. The victim, Jose David Bellosio, was pronounced dead at the scene by Judge A. Gutierrez of Edcouch, Texas. Sgt. J. Vasquez responded to the call. Upon arrival, he observed a green 1968 Chevrolet pickup bearing TX LP's 9384-EF take off from Jovita's parking lot traveling on the wrong side of the road. Sgt. J. Vasquez proceeded to stop said vehicle at Starr St. and Illinois St. Sgt. J. Vasquez arrested the suspect, Alfredo Hinojosa, for Driving While Intoxicated. Upon inventorying the vehicle for impoundment, Sgt. J. Vasquez found a butterfly knife under the seat of the pickup. The knife had red stains which appeared to be blood.

An eyewitness identified the suspect, Alfredo Hinojosa, as being the assailant. Upon questioning the suspect, Alfredo Hinojosa, admitted to Inspector Narciso Vargas Jr. and Sgt. J. Vasquez as to the stabbing of the victim with a knife.

On this same date, a complaint of Murder was signed against Alfredo Rivera Hinojosa before Municipal Judge Ricardo Flores. Judge Flores issued a warrant of arrest for Murder against Alfredo Hinojosa. Alfredo Hinojosa was arrested on said warrant #69-1241, Murder. Judge Flores arraigned the suspect, Alfredo Rivera Hinojosa, and set the bond at \$100,000. He was later transported to the Hidalgo County Jail in Edinburg, Texas.

District Clerk, Hidalgo County, Texas

DATE 11-08

JUDGE PRESIDING

i. Support his dependants.
 j. Pay the sum of \$ 15.00 per month to the Adult Probation Office commencing on the 15th day of October, 19⁸³, and a like amount on the 15th succeeding month thereafter during that period of probation, to be used by this Court in administering the probation laws as authorized by the Adult Probation and Parole Law.
 k. Defendant shall pay necessitation in the amount of \$ _____, payable at the rate of 15th day of October, 19⁸³, and a like amount on the 15th day of each month thereafter during that period of probation, to be used by this Court in administering the probation laws as authorized by the Adult Probation and Parole Law.

h-2 Demandant shall pay \$ _____ for remuneration to the County of Hidalgo for the services of his court appointed attorney, to be included in court costs, at the rate of \$ _____ per month, commencing on the NA _____ day of NA _____, 19 NA _____, and a like payment to be paid on the NA _____ day of NA _____, 19 NA _____, and a like payment to be paid through month thereafter until paid in full, said payments to be made through the District Clerk's Office, Hidalgo County Court house, Edinburg, Texas.

h-1 Defendant shall pay a fine in the amount of \$ 500.00, payable at the rate of \$ 250.00 per month, commencing on the 15th day of October, 1983, and a like payment to be paid on the 15th day of each succeeding month thereafter until paid in full, said payments to be made through the District Court Clerk's Office, Hidalgo County Courthouse, Edinburg, Texas.

h. Pay his fine, if one be assessed, and all court costs whether a fine be assessed or not, in one or several sums, and make restitution or reparation in any sum that the Court shall determine, to-wit:

g. Remain within the limits of Hidalgo County, Texas unless given permission to leave
i. Work initially at suitable employment as far as possible;

e. Permit the Probation Officer to visit him at his home or elsewhere;

TO-WTE: THE WEEB (THE WEEB MONGERS) IS EACH MONTH

d. report to the probation officer each month during the probationary period as directed;

c. Avoid persons or pieces of equipment of similar character;

B. AVOID INJURIOUS SUBSTANCES OR VICES/SHABBS;

Committee no outcome agreement the laws of this State or of any other State or the United States;

are adding one cell to the problem than the standard sum:

baration, viz:

It is, therefore, further ORDERED by the Court that the imposition of the sentence in this cause be and the same is hereby suspended during the good behavior of the defendant, and that cause be and the same is hereby suspended during the good behavior of the defendant, and that the defendant be and is hereby placed on probation for a term of FIVE years beginning on this date under the supervision of the Court, subject to the following conditions of

ON THIS DAY SET FORTH ABOVE THE ABOVE STYLED AND NUMBERED CAUSE HAVING BEEN DULY AND LEGALLY REFERRED TO A MAGISTRATE FOR THE DISTRICT COURTS OF DALLAS COUNTY THAT GIVE PREFERENCE TO CRIMINAL CASES AND THE CRIMINAL DISTRICT COURTS OF DALLAS COUNTY CAME ON TO TRIAL PURSUANT TO A NEGOTIATED PLEA AS REFLECTED ABOVE. THE STATE OF TEXAS AND DEFENDANT APPEARED BY AND THROUGH THE ABOVE NAMED ATTORNEYS AND ANNOUNCED READY FOR TRIAL. DEFENDANT APPEARED IN PERSON IN OPEN COURT WHERE DEFENDANT WAS NOT REPRESENTED BY COUNSEL. DEFENDANT KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THE RIGHT TO REPRESENTATION BY COUNSEL. DEFENDANT, IN PERSON AND IN WRITING IN OPEN COURT WAIVED HIS RIGHT OF TRIAL BY JURY WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY, THE ATTORNEY FOR THE STATE, AND THE COURT. WHERE SHOWN ABOVE THAT THE CHARGING INSTRUMENT WAS BY INFORMATION INSTEAD OF INDICTMENT, THE DEFENDANT DID, WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY, WAIVE HIS RIGHT TO PROSECUTION BY INDICTMENT AND AGREED TO BE TRIED ON AN INFORMATION. ALL SUCH WAIVERS, AGREEMENTS AND CONSENTS WERE IN WRITING AND FILED IN THE PAPERS OF THIS CAUSE PRIOR TO THE DEFENDANT ENTERING HIS PLEA HEREIN. THE DEFENDANT WAS DULY ARRAIGNED IN OPEN COURT AND ENTERED THE ABOVE PLEA TO THE CHARGE CONTAINED IN THE CHARGING INSTRUMENT AS SHOWN ABOVE. DEFENDANT WAS ADMONISHED BY THE MAGISTRATE OF THE CONSEQUENCES OF THE SAID PLEA AND DEFENDANT PERSISTED IN ENTERING SAID PLEA, AND IT FLATLY APPEARING TO THE COURT THAT THE MAGISTRATE FOUND THE DEFENDANT TO BE MENTALLY COMPETENT AND THAT SAID PLEA WAS FREE AND VOLUNTARY AND AFTER SUCH FINDINGS BY THE MAGISTRATE, THE SAID PLEA WAS ACCEPTED BY THE MAGISTRATE AND IS NOW ENTERED OF RECORD AS THE PLEA HEREIN OF DEFENDANT. DEFENDANT IN OPEN COURT, IN WRITING, HAVING WAIVED THE READING OF THE CHARGING INSTRUMENT, AS SHOWN ABOVE, THE APPEARANCE, CONFRONTATION, AND CROSS-EXAMINATION OF WITNESSES, AND AGREED THAT THE EVIDENCE MAY BE BY STIPULATION, CONSENTED TO THE INTRODUCTION OF TESTIMONY ORALLY BY JUDICIAL CONFESSION, BY AFFIDAVITS, WRITTEN STATEMENTS OF WITNESSES AND ANY OTHER DOCUMENTARY EVIDENCE, AND SUCH WAIVER AND CONSENT HAVING BEEN APPROVED BY THE MAGISTRATE IN WRITING AND FILED IN THE PAPERS OF THE CAUSE; AND THE MAGISTRATE HAVING HEARD DEFENDANT'S WAIVER OF THE READING OF THE CHARGING INSTRUMENT, DEFENDANT'S PLEA THERETO, THE EVIDENCE SUBMITTED, AND THE ARGUMENT OF COUNSEL, WAS OF THE OPINION FROM THE EVIDENCE SUBMITTED THAT DEFENDANT WAS GUILTY OF THE OFFENSE AS SHOWN ABOVE AND THAT THE OFFENSE WAS COMMITTED BY SAID DEFENDANT ON THE DATE SET FORTH ABOVE. THE MAGISTRATE FURTHER MADE ITS FINDINGS AS TO DEADLY WEAPON, FAMILY VIOLENCE, BIAS OR PREJUDICE, AND RESTITUTION OR REPARATION AS SET FORTH ABOVE.

AND WHEN SHOWN ABOVE THAT THE CHARGING INSTRUMENT CONTAINS ENHANCEMENT PARAGRAPH(S), WHICH WERE NOT WAIVED OR DISMISSED, THE MAGISTRATE, AFTER HEARING THE DEFENDANT'S PLEA TO SAID PARAGRAPH(S) AS SET OUT ABOVE AND AFTER HEARING FURTHER EVIDENCE ON THE ISSUE OF PUNISHMENT MADE HIS FINDING AS SET OUT ABOVE, IF TRUE, THE MAGISTRATE WAS OF THE OPINION AND FOUND THAT DEFENDANT HAS BEEN HERETOFORE CONVICTED OF SAID OFFENSE(S) ALLEGED IN THE SAID ENHANCEMENT PARAGRAPH(S) AS MAY BE SHOWN ABOVE.

THEREUPON THE SAID DEFENDANT WAS ASKED BY THE MAGISTRATE WHETHER HE HAD ANYTHING TO SAY WHY SAID SENTENCE SHOULD NOT BE PRONOUNCED AGAINST HIM, AND HE ANSWERED NOTHING IN BAR THEREOF, AND IT HAVING APPEARED TO THE MAGISTRATE THAT DEFENDANT WAS MENTALLY COMPETENT AND UNDERSTANDING OF PROCEEDINGS,

IT WAS, THEREFORE, CONSIDERED AND RECOMMENDED BY THE MAGISTRATE, IN THE PRESENCE OF DEFENDANT, AND HIS ATTORNEY THAT SAID DEFENDANT BE ADJUDGED GUILTY OF THE OFFENSE AS SHOWN ABOVE, THAT SAID DEFENDANT BE PUNISHED IN ACCORDANCE WITH THE PUNISHMENT SET FORTH ABOVE, THAT DEFENDANT BE SENTENCED TO A TERM OF IMPRISONMENT OR FINE OR BOTH AS SET FORTH ABOVE, AND THAT SAID DEFENDANT SHALL BE CONFINED FOR THE ABOVE NAMED TERM IN ACCORDANCE WITH THE PROVISIONS OF LAW GOVERNING SUCH PUNISHMENTS. IT WAS FURTHER RECOMMENDED THAT THE DEFENDANT PAY COURT COSTS, COSTS AND EXPENSES OF LEGAL SERVICES PROVIDED BY THE COURT-APPOINTED ATTORNEY IN THIS CAUSE, IF ANY, AND RESTITUTION OR REPARATION, AS SET FORTH HEREIN, FOR WHICH LET EXECUTION ISSUE.

THE MAGISTRATE FURTHER RECOMMENDED THAT THE IMPOSITION OF SENTENCE HEREIN BE SUSPENDED AND THAT THE DEFENDANT BE PLACED ON COMMUNITY SUPERVISION FOR A PERIOD OF TIME AS SHOWN ABOVE SUBJECT TO THE TERMS AND CONDITIONS IMPOSED BY LAW AND THE COURT AND SERVED UPON THE DEFENDANT. THE MAGISTRATE RECOMMENDED THAT THE FINE IMPOSED, IF ANY, BE PROBATED OR PAID AS SHOWN ABOVE.

THE MAGISTRATE FURTHER FOUND THAT THE TERMS OF THE NEGOTIATED PLEA AGREEMENT BETWEEN THE STATE AND THE DEFENDANT HAVE BEEN FOLLOWED.

THE COURT HAS REVIEWED THE FINDINGS, ACTIONS AND RECOMMENDATIONS OF THE MAGISTRATE IN THIS CAUSE. IT FINDS THAT THE TERMS OF THE NEGOTIATED PLEA AGREEMENT IN THIS CAUSE HAVE BEEN FOLLOWED AND HEREBY ADOPTS ALL FINDINGS, ACTIONS AND RECOMMENDATIONS OF THE MAGISTRATE IN THIS CAUSE. THE DEFENDANT IS HEREBY ADJUDGED GUILTY OF THE OFFENSE AS SET OUT ABOVE AND ORDERED PUNISHED IN ACCORDANCE WITH THE RECOMMENDATION OF THE MAGISTRATE.

IT FURTHER APPEARING TO THE COURT THAT THE ENDS OF JUSTICE AND THE BEST INTEREST OF THE PUBLIC AS WELL AS THE DEFENDANT WILL BE SERVED BY SUSPENSION OF THE IMPOSITION OF SENTENCE HEREIN, IT IS THE FURTHER ORDER OF THIS COURT THAT THE IMPOSITION OF SENTENCE HEREIN IS HEREBY SUSPENDED AND THE DEFENDANT IS PLACED ON COMMUNITY SUPERVISION FOR A PERIOD OF TIME AS SHOWN ABOVE SUBJECT TO TERMS AND CONDITIONS OF COMMUNITY SUPERVISION IMPOSED BY LAW AND BY THE COURT AND SERVED UPON THE DEFENDANT. THE FINE IMPOSED, IF ANY, SHALL BE PROBATED OR PAID AS SHOWN ABOVE. THE JUDGMENT AS SHOWN ABOVE IS HEREBY IN ALL THINGS APPROVED AND CONFIRMED, AND IS HEREBY ORDERED INTO EFFECT.

CONDITIONS OF COMMUNITY SUPERVISION ARE ATTACHED HERETO AND ARE INCORPORATED FOR ALL PURPOSES AS A PART OF THIS JUDGMENT.

AND WHEN IT IS SHOWN BELOW THAT PAYMENT OF THE COSTS OF LEGAL SERVICES PROVIDED TO THE DEFENDANT IN THIS CAUSE HAS BEEN ORDERED, THE MAGISTRATE FOUND AND THE COURT APPROVED THE FINDING THAT THE DEFENDANT HAS THE FINANCIAL RESOURCES TO ENABLE THE DEFENDANT TO OFFSET SAID COSTS IN THE AMOUNT ORDERED.

WHEN IT IS SHOWN ABOVE THAT RESTITUTION HAS BEEN ORDERED, BUT THE MAGISTRATE FOUND THAT THE INCLUSION OF THE VICTIM'S NAME AND ADDRESS IS NOT IN THE BEST INTEREST OF THE VICTIM, SUCH FINDING IS HEREBY APPROVED BY THE COURT AND THE PERSON OR AGENCY WHOSE NAME AND ADDRESS IS SET OUT IN THIS JUDGMENT WILL ACCEPT AND FORWARD THE RESTITUTION PAYMENTS TO THE VICTIM.

FOLLOWING THE DISPOSITION OF THIS CAUSE THE DEFENDANT'S FINGERPRINT WAS, IN OPEN COURT, PLACED UPON A CERTIFICATE OF FINGERPRINT. SAID CERTIFICATE IS ATTACHED HERETO AND IS INCORPORATED BY REFERENCE AS A PART OF THIS JUDGMENT.

A PRESENTENCE INVESTIGATION WAS CONDUCTED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF LAW.

COURT COSTS IN THE AMOUNT OF \$126.50

JUDGE SAR PRESIDING

On August 11, 1986, the suspect, Alfredo Hinojosa, was arrested for Resisting Arrest at 1245 S. Georgia St., Mercedes, Texas. After being placed in the patrol unit, to wit: 1986 Dodge Diplomat bearing TX Exempt plates 496-446, the suspect, Alfredo Hinojosa, started kicking the rear passenger door thus causing damage to the door. This criminal mischief was witnessed by Officer Roberto Gutierrez and other officers.

On August 12, 1986, a complaint of Criminal Mischief was signed against Alfredo Hinojosa. He was then taken before Judge Flores whom arraigned him on said complaint. Judge Flores set bond at \$200.00. He was later transported to the Hidalgo County Jail in Edinburg, Texas.

RECEIVED

SEP 5 1986

ADULT PROSECUTION DEPT
HIDALGO COUNTY, EDINBURG, TEXAS

Docket No. _____

Case No. 86-08-422

Mercedes Police Department
Arrest Record

11-25-86

Name <u>Alfredo Hinojosa</u>									Alias:	
Address 1245 S. Georgia Mercedes, Texas									Phone	Date: <u>8-11-86</u>
Occupation Labor			Social Security No. ----			D.L. No. And State -----			Time: 8:30 PM	
Age 24	Race W	Sex M	Eyes Brn	Hair Blk	Hgt. 5'2"	Wt. 155	DOB 9-21-61	Place of Birth Illinois	Marks-Tattooes both arms and chest	
Offense CRIMINAL MISCHIEF						Where Committed 1245 S. Georgia				
Where Arrested Mercedes						How Arrest Made <input checked="" type="checkbox"/> In Sight <input type="checkbox"/> Warrant <input type="checkbox"/> SPA <input type="checkbox"/> Other				
Complainant: R. Gutierrez Jr.			Address c/o Mercedes Police Dept.						Phone 565-3102	
Witness:			Address						Phone	
Witness:			Address						Phone	
Vehicle Impounded: Year: Make: Model: Lic.: Where:										
Property Taken: By: Bag No.										
Property Returned: Date: Time: by:						Prisoner's Signature:				
Prisoner Released Date: 8-12-86 Time: 9:30 PM by: R. Gutierrez Jr.						Disposition Transported to county				
Synopsis: (use back if needed)										
<p>On 8-11-86 at about 8:30 PM, reporting officer arrested Alfredo Hinojosa for Criminal Mischief. Subject when arrested began to kick Unit P-10's right rear door with his feet. Officer transported the subject to the police department where he was booked and incarcerated for said charge.</p>										
										Rt. Index
Arresting Officer: Robert Gutierrez Jr.						Approved: <i>RECEIVED</i>				

MPDF-407

SEP 5 1986

DULUTH POLICE DEPARTMENT
DALGO UNIT, LEXICO DEPT

MOTION TO REVOKE PROBATION
-PAGE 2-

NO. F96-52623-MI

THE STATE OF TEXAS

CRIMINAL DISTRICT COURT NO. 2

VS.

DALLAS COUNTY, TEXAS

JOSE ESCAMILLA

OCTOBER TERM, 1997

- (1) Jose Escamilla did violate condition (a) by violating the laws of the State of Texas in that on or about November 7, 1997 in Dallas County, Texas, he did unlawfully then and there knowingly and intentionally possess a short-barrel firearm, to-wit: a shotgun, with a barrel length of less than 18 inches.
- (2) Jose Escamilla did violate condition (b) in that he did not avoid injurious or vicious habits. A urine sample collected from JOSE ESCAMILLA on October 1, 1997 tested positive for marijuana and cocaine.
- (3) Jose Escamilla did violate condition (j) in that he did not pay a probation fee as directed for the months of October and December 1997, and is currently \$50.00 delinquent.
- (4) Jose Escamilla did violate condition (k) in that he did not make a fine payment as directed for the months of November and December 1997, and is currently \$50.00 delinquent.
- (5) Jose Escamilla did violate condition (l) in that he did not pay restitution as directed for the months of November and December 1997, and is currently \$110.00 delinquent.

